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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
OCT 12 2022
GEAN F. McAVOY, CLERK
YAKIMA, WASHINGTON DEPUTY

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL URBINA,

Defendant.

Case No. 1:20-CR-2049-MKD

SUPERSEDING INDICTMENT

Vio: 18 U.S.C. § 2251(a), (e):
Production and Attempted
Production of Child
Pornography
(Count 1)

18 U.S.C. § 2252A(a)(2),
(b)(1):
Receipt of Child Pornography
(Count 2)

18 U.S.C. §§ 2, 2251(a), (e):
Production and Attempted
Production of Child
Pornography
(Counts 3-5)

18 U.S.C. § 2252A(a)(5)(B),
(b)(2):
Possession of Child
Pornography
(Count 6)

18 U.S.C. § 2253
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

Between on or about November 2008 and on or about November 2009,
within the Eastern District of Washington, the Defendant, MIGUEL URBINA, did
knowingly employ, use, persuade, induce, entice, and coerce Minor A to engage in
sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A), for the purpose of
producing a visual depiction of such conduct, knowing and having reason to know
that such visual depiction would be transmitted using any means and facility of
interstate commerce, and such visual depiction was produced using materials that
had been mailed, shipped, and transported in and affecting interstate and foreign
commerce by any means, including by a computer, and attempted to do the same,
in violation of 18 U.S.C. § 2251(a), (e).

COUNT 2

On or about January 30, 2017, within the Eastern District of Washington, the
Defendant, MIGUEL URBINA, did knowingly receive child pornography, as
defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped and transported

1 in and affecting interstate and foreign commerce by any means, including by
2 computer, and that was transported via any means or facility of interstate and
3 foreign commerce, to wit: still image and video files depicting minor and
4 prepubescent children engaging in sexually explicit conduct including but not
5 limited to actual and simulated intercourse, and the lascivious exhibition of the
6 genitals and pubic area, as defined in 18 U.S.C. § 2256(2)(A), all in violation of 18
7 U.S.C. § 2252A(a)(2), (b)(1).
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COUNT 3

On or about February 23, 2007, within the Eastern District of Washington,
the Defendant, MIGUEL URBINA, did knowingly employ and use at least one
minor to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A),
in a bathroom at a Wal-Mart store, for the purpose of producing a visual depiction
of such conduct, knowing and having reason to know that such visual depiction
would be transmitted using any means and facility of interstate commerce, and
such visual depiction was produced using materials that had been mailed, shipped,
and transported in and affecting interstate and foreign commerce by any means,
including by a computer, and attempted to do the same, and did aid and abet the
same, in violation of 18 U.S.C. §§ 2 and 2251(a), (e).

COUNT 4

On or about February 23, 2007, within the Eastern District of Washington, the Defendant, MIGUEL URBINA, did knowingly employ and use at least one minor to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A), in a bathroom at the Union Gap Mall, for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transmitted using any means and facility of interstate commerce, and which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by a computer, and attempted to do the same, and did aid and abet the same, in violation of 18 U.S.C. §§ 2 and 2251(a), (e).

COUNT 5

On or about March 30, 2007, within the Eastern District of Washington, the Defendant, MIGUEL URBINA, did knowingly employ and use minors to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A), in a bathroom at Miner's restaurant, for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transmitted using any means and facility of interstate commerce, and which visual depiction was produced using materials that had been mailed, shipped, and

1 transported in and affecting interstate and foreign commerce by any means,
2 including by a computer, and attempted to do the same, and did aid and abet the
3 same, in violation of 18 U.S.C. §§ 2 and 2251(a), (e).
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7 COUNT 6

8 On or about April 23, 2020, within the Eastern District of Washington, the
9 Defendant, MIGUEL URBINA, did knowingly possess material that contained one
10 or more images of child pornography, other than those images charged in Count 2
11 (receipt), as defined in 18 U.S.C. § 2256(8)(A), including images of prepubescent
12 minors and minors who had not attained twelve years of age, the production of
13 which involved the use of a minor engaging in sexually explicit conduct, and
14 which visual depictions were of such conduct, that had been mailed, and shipped
15 and transported using any means and facility of interstate and foreign commerce
16 and in and affecting interstate and foreign commerce by any means, including by
17 computer, and that was produced using materials that had been mailed, and
18 shipped and transported in and affecting interstate and foreign commerce by any
19 means, including by computer, all in violation of 18 U.S.C. § 2252A(a)(5)(B),
20 (b)(2).
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NOTICE OF FORFEITURE ALLEGATIONS

1 The allegations contained in this Indictment are hereby realleged and
2 incorporated by reference for the purpose of alleging forfeitures.
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4 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense(s) in violation
5 of 18 U.S.C. § 2251(a) and (e); and/or 18 U.S.C. § 2252A(a)(2), as alleged in
6
7 Counts 1 and 2 of this Indictment, the Defendant, MIGUEL URBINA, shall forfeit
8 to the United States, any visual depiction described in section 2251, 2251A, 2252,
9 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film,
10 videotape, or other matter which contains any such visual depiction, which was
11 produced, transported, mailed, shipped or received in violation of this chapter; any
12 property, real or personal, constituting or traceable to gross profits or other
13 proceeds obtained from such offenses; and, any property, real or personal, used or
14 intended to be used to commit or to promote the commission of such offenses, or
15 any property traceable to such property, including, but not limited to:
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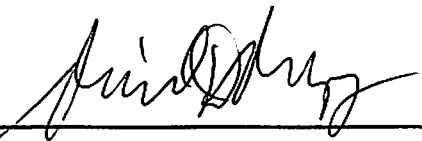
19 a Western Digital My Passport External Hard Drive, SN:
20 WXA1A867058F
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24 DATED this 12th day of October, 2022.

25 A TRUE BILL
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Foreperson

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5 Vanessa R. Waldref
6 United States Attorney

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9 Michael D. Murphy
10 Assistant United States Attorney
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